DEC 0 5 2005

## Docket No. AMENDMENT TRANSMITTAL LETTER ICON 3.3-001 Art Unit Application No. Filing Date Examiner G. L. Helmer 1638 09/980,542-Conf. #5528 March 4, 2002 Applicant(s): Nikolay V. Kuchuk and Victor Klimyuk Invention: PROCESS OF RAPID VARIETY-INDEPENDENT PLANT TRANSFORMATION TO THE COMMISSIONER FOR PATENTS Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. **CLAIMS AS AMENDED** Claims Highest Remaining Number Number Extra Claims Previously After Amendment Paid Present Rate 36 **Total Claims** 27 Х Independent 1 X Claims Multiple Dependent Claims (check if applicable) X Other fee (please specify): 0.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: x Small Entity Large Entity x No additional fee is required for this amendment. in the amount of \$ Please charge Deposit Account No. A duplicate copy of this sheet is enclosed. A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. X The Director is hereby authorized to charge and credit Deposit Account No. as described below. A duplicate copy of this sheet is enclosed. x Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. Dated: November 30, 2005 Shawn P. Folev Attorney Reg. No.: 33,071 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6346 I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

(Shawn P. Foley)

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Dated: November 30, 2005

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Dated: November 30, 2005 Signature:

Docket No.: ICON 3.3-001 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Kuchuk et al.

Application No.: 09/980,542

: Group Art Unit: 1638

Filed: March 4, 2002

: Examiner: G. L. Helmer

For: PROCESS OF RAPID VARIETY-

INDEPENDENT PLANT TRANSFORMATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## RESPONSE TO OFFICE ACTION

Dear Sir:

In complete response to the Official Action mailed May 31, 2005, Applicants submit the following amendments and remarks.